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Application No. (if known): 10/023,062 Attorney Docket No.: **56790 (70904)**

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Signature

Kathryn A. Grindrod
Typed or printed name of person signing Certificate

Registration Number, if applicable

(617) 517-5534
Telephone Number

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Fee Transmittal (2 pages)
Part B - Fee(s) Transmittal (2 pages)
Comments on Statement of Reasons for Allowance (3 pages)
Request Under 312 for Signed, dated and Initialled Form PTO/SB/08a/b Transmittal (3 pages)
Return Receipt Postcard
Authorization to charge $1,730.00 to deposit account 04-1105

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IAP78

Attorney Docket No. 56790 (70904)
Express Mail Label No. US 756265317 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Toshihisa MATSO

Serial No:	10/023,062	Examiner:	Tabatabai, Abolfazl
Filed:	December 14, 2001	Group:	2625

For: OPTICAL RECORDING MEDIUM AND REPRODUCING APPARATUS

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 (Express Mail Label No. **EV 756265317 US**), and is addressed to MS: AF Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 27, 2006.

By: Kathryn A. Grindrod
Kathryn A. Grindrod

Mail Stop: ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

COMMENTS ON SATEMENT OF REASONS FOR ALLOWANCE

Applicant respectfully submits the following comments on the Statement of Reasons for Allowance in the above-identified application.

At item 3 of the statement of Reasons for Allowance in the above-identified application it is indicated that:

> The prior art of record fails to teach or suggest, optical recording medium and reproducing apparatus comprises that additional information that cannot be copied is formed on the optical recording medium, reproducing the main information in combination into the other features and elements of claims 1, 17 and 23.

Applicant respectfully notes that the reference to Claim 1 in this passage should be to Claim 11.

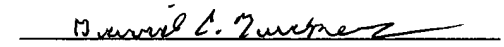
In addition, Applicant respectfully notes that the wording appearing in the Statement of Reasons for allowance appears only in subparagraph (c) of independent Claim 23. Independent Claims 11 and 17 do not include the same language.

It is Applicant's belief, however, that the Statement of Reasons for Allowance in this application intended to indicate that the allowance of this application was based upon the prior art of record failing to teach or suggest an optical recording medium having the combination of features and elements of Claim 1. Further, it is Applicant's belief that the Statement of Reasons for Allowance also was based upon the prior art of record failing to teach or suggest the claimed reproduction apparatus (Claim 17) or the claimed method (Claim 23) that respectively include in combination features directed to operations on or in connection with an optical recording medium having the features of Claim 1.

Applicant also believes that additional fees beyond those submitted herewith are not required in connection with the consideration of this submission. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. 04-1105, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

Respectfully submitted,

Date: February 27, 2006



SIGNATURE OF PRACTITIONER

Reg. No.: 27,840

David A. Tucker
(type or print name of practitioner)
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Attorney Docket No. 56790 (70904)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S):	Toshihisa Matsuo	EXAMINER:	Tabatabai, A.
SERIAL NO.:	10/023,062	GROUP:	2625
FILED:	December 14, 2001		
FOR:	OPTICAL RECORDING MEDIUM AND REPRODUCING APPARATUS		

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as Express Mail, Post Office to Addressee, Express Mail Label No. **EV 756265317 US** in an envelope addressed to the Commissioner of Patents, P.O. 1450, Alexandria, VA 22313-1450 on February 27, 2006.

By: Kathryn A. Grindrod
Kathryn A. Grindrod

Mail Stop: ISSUE FEE
COMMISSIONER OF PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST UNDER 37 CFR 1.312 FOR SIGNED, DATED AND INITIALLED COPIES OF FORMS PTO/SB/08a/b ACCOMPANYING INFORMATION DISCLOSURE STATEMENTS FILED 29 DECEMBER 2005 AND 20 JANUARY 2006

This is in response to the Notice of Allowance and Issue Fee Due and related documentation issued in the above-identified case on 8 December 2005.

Applicants respectfully request that they be provided with a signed, dated and initialed copy of the Forms PTO/SB/08a/b that accompanied the Information Disclosure Statements filed in this case on 29 December 2005 and 23 January 2006.

In particular, subsequent to the issuance of the Notice of Allowance in the above-identified application, Applicants filed two Information Disclosure Statements under 37 CFR 1.97(d), one on 29 December 2005 and the other on 23 January 2006. Applicant has not yet received copies of the Forms PTO/SB/08a/b that accompanied those submissions signed, dated and initialed by the Examiner in confirmation of his consideration of the art listed therein.

To correct this oversight, complete Applicants' records concerning the prosecution of this application, and avoid the necessity of other action to ensure that the Examiner considered all of the art disclosed in the above-identified Information Disclosure Statements prior to the issuance of this application as a United States Patent, Applicants respectfully request that the their undersigned representative be provided at the earliest possible time with a copy of the Forms PTO/SB/08a/b that accompanied the Information Disclosure Statements dated 29 December 2005 and 20 January 2006 duly signed, dated and initialed by the Examiner to confirm his consideration of all of the art listed therein

Applicant believes that additional fees are not required in connection with the consideration of this submission. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. **04-1105**, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

Respectfully submitted,

Date: February 27, 2006

By: David A. Tucker
David A. Tucker
Reg. No. 27,840
Attorney for Applicant(s)

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